

Message

---

**From:** InsideEPA.com [insideepa-alerts@iwpnews.com]  
**Sent:** 4/2/2019 11:30:32 AM  
**To:** Dunlap, David [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=591eb15a268249dda0c05a7451f765c3-Dunlap, Dav]  
**Subject:** The Morning Headlines from InsideEPA.com -- April 2, 2019



**REDEFINING EPA: Overhauling an agency and its mission -- Complete coverage**

April 2, 2019

**Latest News**

**Lacking Fixes, Oil & Gas Sector Unlikely To Use EPA Penalty Relief Policy**

EPA did not address a series of industry concerns when it finalized its audit policy for the oil and gas sector, raising doubts that companies will take advantage of the penalty relief the policy provides for facilities that disclose and address violations, industry sources say.

### **New Jersey PFAS Directive Sets State Precedent But Risks Industry Fight**

New Jersey's issuance of a first-time, wide-ranging directive requiring five major chemical companies to fund past and future cleanup costs and provide large amounts of data related to per- and polyfluoroalkyl substances (PFAS) contamination likely sets a precedent for other states but will almost certainly draw industry challenges, sources say.

### **Judges Question Whether EPA 'Once In' Air Toxics Memo Is 'Final Action'**

Appellate judges, during April 1 oral arguments, questioned whether EPA's memo rescinding its longstanding "once in, always in" air toxics policy represents "final agency action" subject to judicial review, though they gave no clear indication of how they would rule.

### **Court Eyes Groups' Standing To Target Drilling Permit Despite EPA Stance**

A federal appellate court is asking parties in a case challenging an EPA water discharge permit for drilling operations in the Gulf of Mexico to discuss at upcoming oral arguments industry claims that environmentalists lack standing to sue -- even though the agency has said it believes the groups challenging the permit have standing.

### **State Lawmakers Press CARB To Address GHG Credit Oversupply Concerns**

Democratic leaders in the California Legislature are pressing state air board officials to quickly address ongoing concerns that there is an "overallocation" of credits in the state's greenhouse gas cap-and-trade program that may jeopardize achievement of the Golden State's ambitious 2030 GHG target.

### **Roberts' 'Swing' Vote Could Determine Future Of Agency Deference Doctrine**

Supreme Court Chief Justice John Roberts' currently unknown position on when courts should defer to EPA and other federal agencies' interpretations of their regulations will largely determine whether and to what degree the current standard remains, according to legal experts.

---

## **Daily Feed**

### **Court expedites air act suit despite EPA, industry opposition**

The D.C. Circuit will hear a suit on an expedited timetable opposing the agency's air act "good neighbor" findings despite opposition from EPA and the utility sector.

### **Judge dismisses Utah's water claims in Gold King suit**

The judge hearing suits over the 2015 Gold King Mine wastewater spill held that the Clean Water Act preempts state laws limiting interstate water pollution from the release, but is letting other claims proceed.

### **EPA proposing to revise RCRA definition of 'ignitable' waste**

"I think that the new procedures for determining if multi-phase wastes are ignitable may be problematic and capture wastes that have not been managed as ignitable," an industry source says.

### **Ewire: Offshore drilling ruling adds to Trump's court losses**

In today's Ewire: A federal judge's order restoring Obama-era bans on offshore drilling could set a precedent for similar challenges to Trump orders seeking to expand resource extraction in other areas.

### **Trump reissues permit for Keystone XL pipeline**

The move is an apparent attempt to circumvent an adverse federal court ruling that blocked construction due to an inadequate review of the climate effects of the controversial project.

*Read all the latest EPA news, analysis and documents →*

---

#### EDITORIAL CONTACT

703-562-8763

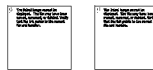
E-MAIL →

#### CUSTOMER SERVICE

703-416-8505

E-MAIL →

---



#### Site Licenses Available

Want to share access to InsideEPA.com with your colleagues? We have economical site license packages available to fit any size organization, from a few people at one location to company-wide access. For more information on how you can get greater access to InsideEPA.com for your office, contact our Online Customer Service department at 703-416-8505 or [iepa@iwpnews.com](mailto:iepa@iwpnews.com).

Please do not respond to this e-mail, as it was sent from an unmonitored mailbox. If you have a customer service inquiry, please contact us at [iepa@iwpnews.com](mailto:iepa@iwpnews.com).

**UNSUBSCRIBE** If you no longer wish to receive these messages, you can unsubscribe by [clicking here](#).

Mailing address: 1919 South Eads Street, Suite 100, Arlington VA 22202

Telephone: 703-416-8500 or 1-800-424-9068

Copyright © 2019 Inside Washington Publishers. All rights reserved [About Us](#) | [Privacy Policy](#)